

MAR 27 2006

ROBERT H. SNEDELL, CLERK
BY [Signature]
DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE-OPELOUSAS DIVISION

DOUGLAS SHOCKLEY
DAWN SHOCKLEY

VS.

LOWES HOME CENTERS, INC.

CIVIL ACTION NO. 06-0283

JUDGE HAIK

MAGISTRATE JUDGE METHVIN

JURISDICTIONAL REVIEW RULING

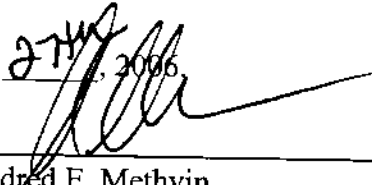
As required by a standing order of this court, the undersigned has reviewed the record and concludes that the jurisdictional amount has been established in this diversity case.

Plaintiff alleges that on August 15, 2004, he was a customer at Lowe's in Lafayette, Louisiana; that he was standing on crutches in the garden center of the store; that a Lowe's employee sprayed him and the floor on which he was standing with water, rendering the floor wet and slippery; that he slipped and fell on the slippery floor, sustaining physical injuries. He seeks damages for bodily injury, pain and suffering, medical expenses, emotional damages, lost wages, disability, and loss of economic opportunity. Dawn Shockley, Douglas's wife, seeks damages for loss of consortium.

In its Notice of Removal, Lowe's states that plaintiff's responses to discovery show that plaintiff allegedly re-injured a previously fused foot, which required another fusion surgery on the foot after unsuccessful nerve blocks and physical therapy. Lowe's further states that plaintiff has provided medical bills showing incurred medical expenses in the amount of \$24,817.02.

Considering the nature of the injuries sustained by Douglas Shockley and his outstanding medical expenses, the undersigned concludes that the jurisdictional amount has been established in this case.

Signed at Lafayette, Louisiana on March 27th, 2006.



Mildred E. Methvin
United States Magistrate Judge
800 Lafayette St., Suite 3500
Lafayette, Louisiana 70501
(337) 593-5140 (phone) 593-5155 (fax)